

DECLARATION FOR PATENT APPLICATION

Rec'd PCT/PTC 14 OCT 2004

Atty Docket No.: 298.30

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

USE OF THERMOREGULATORY MATERIAL TO IMPROVE EXERCISE PERFORMANCE

the specification of which (check one) ☐ is attached hereto or ☒ as filed on October 28, 2002 as Application Serial No. PCT/US02/34628 and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed
Yes No

Number	Country	Day/Month/Year Filed

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States Provisional Application(s) listed below.

Prior Provisional Application(s)

Priority Claimed
Yes No

Number	Country	Day/Month/Year Filed
60/345,895	USA	26 October 2001

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Ser. No.	Filing Date	Status: Patented, Pending, Abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first joint inventor: Joseph Paternoster

Inventor's signature: [Signature]

Residence: 806 Franquette Avenue, Santa Rosa, California, 95405

Date

CA

Citizenship: U.S.A.

Post Office Address: same as above